REMARKS/ARGUMENTS

The present paper is in response to the Final Office Action having a mailing date of December 13, 2004. Claims 1-35 are pending in the present Application. This response is submitted in accordance with Rule 116 in an earnest effort to put the application in better condition for allowance. Arguments are also presented below that Applicant believes should render the claims allowable. In the event, however, that the Examiner is not persuaded by the arguments, it is respectfully requested that the Examiner enter the paper to clarify the issues upon appeal.

The Examiner rejected claims 1-30 and 34-35 under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 6,017,157 (Garfinkle) in view of U.S. Patent No. 6,581,094 (Gao). The Examiner begins by stating Garfinkle teaches an online photo-sharing service capable of hosting entity-specific photo-sharing websites for each entity. The Examiner then acknowledges that Garfinkle "does not teach a method for hosting entity-specific photo-sharing websites for entity-specific image capture devices . . ." including the recited steps, and instead, relies upon Gao for these features.

Applicant respectfully disagrees with the Examiner's rejection. Claim 1 recites a method for hosting entity-specific photo-sharing websites for entity-specific image capture devices. The method of claim 1 includes providing software for the entity-specific image capture devices that causes the entity-specific image capture devices to transmit entity ID information when the image capture devices transmit images over the Internet. Claim 1 also recites providing an online photo-sharing service capable of hosting the entity-specific photo-sharing websites for each of the entities. Further, claim 1 recites that when the image capture devices connect to photo-sharing service, the photo-sharing service uses the entity ID received from the image capture devices to automatically associate the images to the photo-sharing website of the identified

entity. Claim 10 recites an analogous online photo-sharing system in which the image capture devices are recited to be digital cameras.

Thus, the image capture device/digital cameras of claims 1 and 10 are recited to transmit images to the photo-sharing service and to provide entity specific information (information related to the image capture device/digital camera manufacturer and/or user) to the online photo-sharing service when the images are being transmitted. Applicant agrees that Garfinkle fails to teach or suggest the recited online photo-sharing service for hosting entity-specific photo-sharing websites for entity specific image capture devices.

In reply to Applicants arguments that a combination of Garfinkle in view of Gao would fail to teach or suggest a mechanism for allowing an image capture device to connect directly to the photo-sharing service and provide entity specific information to the online photo-sharing service, the Examiner states that Garfinkle teaches a direct connection between the photographer and uploading a photographic image to an image server (FIGS. 1 and 9B and column 2, lines 61-64). Applicant respectfully disagrees.

Although Garfinkle states "[i]n an alternative embodiment, a digital image from a digital camera of the photographic image is uploaded directly to one or more image server 16, see FIG. 9B" (Column 2, lines 61-64), this passage must be taken in the context of Garfinkle's disclosure as a whole. When Garfinkle states that the digital image is uploaded "directly", Garfinkle means without needing to have a film image scanned before uploading the digital image to the image server 16 as shown in FIG. 9A. Nowhere does Garfinkle teach or suggest that the digital camera is capable of transmitting digital images to the image servers. Indeed, FIG. 9B clearly shows that any digital image data included in the camera 9a is transferred to a PC (or other computer) before being uploaded to the image server 16.

An examination of Garfinkle's disclosure of a whole makes clear that the digital images are uploaded from another computer (e.g., the PC of FIG. 9B) to the image server 16, not from "image capture devices that transmit images over the Internet", such as Garfinkle's camera 9a, as required by claims 1 and 10. First, Garfinkle describes that "[a]n operator at the scanning center or the photographer 8 uses the *upload interface A* to transfer the data (all images and associated information) to the image server 16, where it is stored in a directory on the image server. In a preferred embodiment, a Graphical User Interface (GUI) is used to verify the quality and orientation of the digital images before sending them to the image of servers 16. (see e.g., 3b, FIG. 3)." (Column 4, lines 24-30).

Thus, since the upload interface A is used to transfer the images to the image server 16, the issue of whether the digital images are uploaded from the digital camera or another computer turns on where the upload interface A is executed. Where the upload interface A is executed can be determined by examining FIG. 3 of Garfinkle and corresponding text. Garfinkle describes FIG. 3 as a schematic of the upload interface A between the scanning center and the image server 16 of FIG. 1. Because of the steps Garfinkle shows in FIG. 3, it is respectfully submitted that the upload interface cannot be interpreted as running on Garfinkle's digital camera 9a, but rather must be interpreted as running on another computer. For example, step 3a of FIG. 3, states that the upload interface A receives the digital images. In the embodiment where a digital camera is used, "uploading" images to the interface for receipt would be unnecessary, as the digital images would already be present in the camera. Therefore, by virtue of step 3a alone, the upload interface A must be executed on a PC, and not on the digital camera.

In addition, it should be noted that the upload interface cannot be interpreted as an interface provided by the image server 16 because the upload interface displays the images to the user in step

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3b prior to connecting to image server in step 3f. Thus, the server would be unable to display the images to the user until the images were uploaded, which is opposite to what is described in FIG. 3.

Based on above, the only reasonable interpretation of Garfinkle is that the images from a digital camera are uploaded to another computer, which is then used to upload the images to the image server. Consequently, Garfinkle fails to teach or suggest a system whereby a digital camera is capable of transmitting images over a network and provides entity specific information to the online photo-sharing service, as claimed.

Gao fails to remedy the defects of Garfinkle. Gao describes a system which can be used in conjunction with certain digital devices that do not share a common connectivity scheme or a common operating system. Gao, col. 1, lines 28-50. The system of Gao includes clients, a server, and a digital appliance. The digital appliances are not clients or servers, but are apparently devices that can typically be coupled to a network such as printers, faxes, digital copiers, pagers, or PDAs. Gao, col. 3, line 62-col. 4, line 4. In order to support devices having different operating and connectivity schemes, Internet technology (more precisely a Unified Device Descriptor) is used. Gao, col. 4, lines 45-67. Thus, the system of Gao facilitates communication between devices that would *already ordinarily be connected in a network*. More specifically, Gao expressly states that the invention "facilitates cross-platform functionality. Thus, digital devices using different operating systems and connectivity can still communicate." Gao, col. 4, lines 64-67. Consequently, although Gao describes a system for facilitating communication between devices that may already communicate, Gao fails to teach or suggest a mechanism for allowing devices that previously did not connect to the network to communicate via the network.

If the teachings of Gao are added to those of Garfinkle, then devices of Garfinkle that are already configured to be attached to a network but which have different connectivity and/or

operating system may be used together. For example, the PC of Garfinkle may communicate with the server of Garfinkle despite differences in connectivity or operating systems. However, the teachings of Gao would not allow the digital camera of Garfinkle, which does not connect directly to the server of Garfinkle, to upload images or entity specific information to the server of Garfinkle. Instead, the PC of Garfinkle would still upload images (taken from the digital camera of Garfinkle) to the server. Thus, the combination would still fail to teach or suggest a mechanism for allowing an image capture device/digital camera to connect directly to the photo-sharing service and provide entity specific information to the online photo-sharing service. Consequently, Garfinkle in view of Gao fails to teach or suggest the method and system recited in dependent claims 1 and 10. Accordingly, Applicant respectfully submits that independent claims 1 and 10 are allowable over the cited references.

Independent claim 23 recites a method for automatically sending images from entity-specific cameras to entity-specific websites. The method recited in claim 23 includes the steps of providing a plurality of cameras with means for allowing the cameras to communicate over a network and customizing the cameras for different entities by loading at least one entity ID into the camera. The method recited in claim 23 also includes providing an online photo-sharing service for hosting a plurality of photo-sharing websites and customizing each of the photo-sharing websites for a respective entity to create entity-specific websites. Each of the entity-specific websites is identified by a respective entity ID. Claim 23 further recites the steps of transmitting the entity ID from the camera to the photo-sharing website when uploading images to the photo-sharing service and receiving the images and associating the images with the entity-specific website identified by the entity ID.

Thus, like claims 1 and 10, claim 23 recites a method that allows cameras to

communicate over a network. In addition, the cameras also provide the entity information and images to the online photo-sharing website. Using the method and system recited in independent claim 23, therefore, a business-to-business, complete end-to end solution (manufacture of digital cameras to online photo-sharing) for their cameras. Specification, page 9, lines 17-22. In addition, a business-to-consumer solution is provided because users of the digital cameras can upload images captured on a digital camera without using a PC. Specification, page 9, line 23-page 10, line 2.

Claim 23 recites allowing cameras to communicate over a network and, more specifically, allowing the cameras to provide the entity information and images to the online photo-sharing website. Consequently, the arguments herein with respect to Garfinkle in view of Gao apply with full force to claim 23. Accordingly, Applicant respectfully submits that claim 23 is allowable over the cited references.

The Examiner rejected claims 31-33 under 35 USC §103(a) as being unpatentable over Garfinkle in view of Gao and further in view of Narayen et al. (patent number 6,035,323). Claims 31-33 recite providing the image capture device/digital camera with default ISP connection information. Consequently, the image capture device/digital camera recited in claims 31-33 are capable of directly connecting to the online photo-sharing even if the end user does not have an ISP.

The Examiner sites column 11, lines 7-49 of Narayen for teaching the recited features of claims 31-33. However, this passage of Narayen only describes a web server receiving a request from a Web browser from another client system. Narayen thus fails to teach or suggest a digital imaging device that connects to the Internet and that is provided with default ISP connection information. Consequently, any combination of Garfinkle, Gao, and Narayen also fails to teach
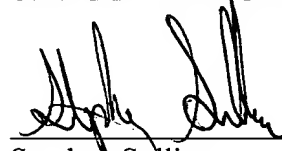
or suggest this feature. Accordingly, Applicant respectfully submits that claims 31-33 are separately allowable over the cited references.

Accordingly, it is respectfully submitted that independent claims 1, 10, 23 and 34-35 are allowable over the cited references. The dependent claims are allowable because they depend from the allowable base claims. Consequently, Applicant respectfully submits that claims 1-35 are allowable over the cited references.

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

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Date

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